

FISCAL NOTE

SB 3189 - HB 3106

March 4, 1998

SUMMARY OF BILL: Establishes civil commitment procedures for long-term commitment and treatment of persons found to be sexually violent predators. Provides for comprehensive mental evaluations, hearings/trials, expert witnesses, and counsel for persons being considered for commitment. Care and treatment will be provided through the Department of Correction. Persons may be committed to a secure facility or conditional release. Annual evaluations and hearings will be conducted to determine if committed persons should be released.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$2,433,300/Recurring
\$48,500/Non-Recurring
\$576,700/Indigent Defense Fund

Dept. of Correction

\$1,281,000¹ - Pre-release evaluation and re-evaluation

\$665,800² - Custody and treatment

\$50,000³ - Conditional release supervision

Office of Attorney General

\$436,500 Recurring - Personnel & operations

\$48,500 Non-Recurring

Indigent Defense Fund

\$513,900⁴- Independent Evaluations & Expert Witnesses

\$62,700⁴ - Attorney fees

¹ Only one full year included. Re-evaluation numbers will continue to grow each year thereafter.

² Cost of custody and treatment when population stabilizes in the 7th year with releases equal to admissions will be \$3,358,000.

³ Amount based upon 15 years of enhanced supervision before total release from conditional release will be \$1,439,600.

⁴ Only one full year included. Re-evaluations, attorney fees, and expert witness fees will continue to grow each year thereafter.

Assumes:

- Three hundred and fifty sexual offenders, to be released annually, will have a comprehensive evaluation of mental condition at a cost of \$3500 each and findings will be referred to the office of the Attorney General.

- Based upon findings and patterns of previous convictions, petitions for a probable cause hearing for 90 sexual offenders will be filed.
- After a probable cause hearing, 45 sexual offenders will have commitment trials.
- Sixteen sexual offenders will be found, beyond a reasonable doubt, to be sexually violent persons and should be committed for treatment in a secure facility.
- Sixteen sexual offenders will be committed to conditional release involving community supervision for an extended period of years.
- After a period of years of treatment in a secure facility, most sexual offenders will be released to a period of conditional release and most sexual offenders committed to conditional release will be discharged from supervision.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director